

Appl. No. 09/547,663
Amdt. dated June 24, 2004
Reply to Office action of December 24, 2003

REMARKS

Reconsideration is respectfully requested. Claims 1-18 are present in the application. Claims 1, 5-7 and 14 are amended herein. Claim 4 is canceled. New claim 19 is added.

Applicant wishes to thank the Examiner noting that there is allowable subject matter, stating that none of the prior art references has disclosed a color hologram display pattern comprised of reflection type volume hologram wherein the hologram comprises a color pattern of plane characters or images and a color 3-dimensional subject image recorded in a single photosensitive material with the reconstructed images of the color pattern changes as the observation depth varies and a plane shadow of the color patterns or images are holographically recorded in the photosensitive material such that the reconstructed image plane of the plane shadow is different from the reconstruction image plane of the color pattern.

The Examiner has rejected claim 1 under 35 U.S.C. §112 first paragraph as being unsupported by the specification. Claim 1 is amended herein adopting the language suggested by the Examiner in the action at page 2, lines 22-23. Accordingly, claim 1 is submitted to be allowable. Claims 2, 3, 5-7, 14 and 17-18 are rejected on the same basis as claim 1 because they depend on claim 1. Claims 2, 3, 5, 6, 14, 17 and 18 are submitted to be allowable in view of the amendment to claim 1.

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Claim 7 is rewritten to be an independent claim, and is also submitted to be allowable.

Claim 10 also stands rejected under 35 U.S.C. §112, as being unsupported by the specification. Applicant respectfully submits that this rejection is a result of misreading the claim. Applicant respectfully points out that the claim language states that it is the "area" that is deactivated and the "portion" that is recorded upon.

Claims 7 and 14 are rejected under 35 U.S.C. §112, second paragraph for indefiniteness. Claim 7 is rewritten and is believed to overcome the rejection. Claim 14 is amended to depend on claim 8, rather than claim 7, as claim 8 is directed to a "process" rather than a "display."

Claims 8-9, 11-13 and 15-16 are rejected under 35 U.S.C. §103 as being unpatentable over Waitts in view of Cowan and Wreede. The Examiner states that:

Waitts teaches a *graphical material* that is comprised of holographic area (312, Figure 4) for reconstructing three-dimensional object (such as 18, 20 and 22) and *diffraction grating area* (326, Figure 4) for reconstructing two-dimensional color pattern such as a logo or trademark.

However, it is respectfully submitted that it is not warranted to state that by teaching a diffraction grating Waitts effectively taught the use of holographic recording of the two-dimensional pattern. Although Waitts does indicate at column 1, lines 65-67 that a diffraction grating can be made by

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intersecting light beams, this is not the same as, "exposing said *** color pattern of plane characters to light and recording the interference pattern thereof in the same photosensitive material." Indeed, the term "diffraction grating" is used in contrast and distinct to the term "hologram" in the Waitts patent. If Waitts was teaching the use of superimposed holograms, he certainly would have used language to that effect, rather than drawing the distinction between two different forms of image creation. Moreover, shapes 312 and 326 (actually shown in FIG. 6 rather than FIG. 4) appear to be simply abutting rather than superimposed, as stated by the Examiner.

With respect to claims 15 and 16, the combination of Waitts, Cowan and Wreede does not yield the use of a first hologram plate for creating a three dimensional image and a second hologram plate for creating two dimensional graphical features to be used together for effecting the creation of a combined three dimensional and two dimensional image plate. Indeed, none of these references recites the use of a hologram plate for creating and recording two-dimensional imagery, in any context. This is an important innovation because it greatly eases the task of recording both a two-dimensional and a three-dimensional image on the same medium.

Claim 10 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Waitts, Cowan and Wreede et al as

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applied to claim 8 above, further in view of Nishikawa et al. Applicant respectfully traverses. Claim 8 is submitted to be allowable for reasons noted above. Claim 10 depends on claim 8 and further defines aspects of the invention. It is submitted that Nishikawa et al add nothing additional that would operate to teach or suggest the limitations of claim 10.

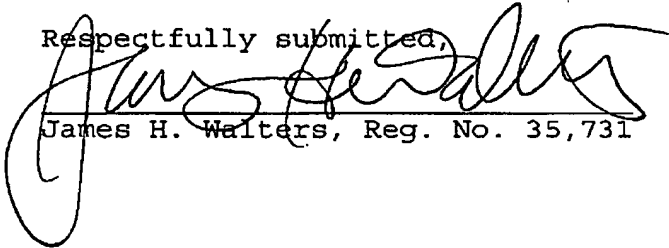
All of the remaining claims are dependent claims and are patentably distinct over the prior art at least for the reason that each one depends on a base claim that is patentably distinct. In addition these claims recite further features of implementation that provide further patentable distinctions.

New claim 19 is added, reciting a color hologram as set forth in claim 1 fabricated by the process of claim 8. This claim is also submitted to be allowable for reasons corresponding to those presented above.

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In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,


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